

FATE OF WADE HANGS IN BALANCE

CASE WILL GO
TO JURY TODAYSmith Closes Argument
This Morning.Man Who Killed the Chinese
Cook Testifies in His
Own Behalf.Claims That He Shot in Self-Defense
to Prevent Lee Quen You
From Killing Him.

JAMES H. WADE, the slayer of the Chinese cook, Lee Quen You, at the Alta-Quincy mine last December, will learn his fate today. The testimony in the case was taken yesterday and a part of the closing arguments to the jury was made. District Attorney Benner X. Smith will make the closing argument for the State this morning and the fate of the prisoner will then be placed in the hands of the jury.

The defendant, who took the stand in his own behalf yesterday forenoon, declared that he shot the Chinaman in self-defense, and that he believed his life to be in danger at the time he fired the gun. He detailed the story of the shooting from his point of view and said that the Chinaman threatened to kill him with the butcher knife before he pulled the trigger. On cross-examination, he admitted that he had never heard of the Chinaman having trouble with other men at the mine.

Story Told by Wade.

Wade gave a partial history of his life in answer to questions while on the witness stand. It is understood that he killed a man in Wyoming before coming to this State, but the facts about the matter were not brought out. The defendant said that he went to work at the Alta-Quincy mine in August last year and worked until December 12, the day of the tragedy. On that day he said he heard the Chinaman threaten to kill the Olsen boy and that he was going to bed in the afternoon when he heard Olsen yell. With this idea of protecting the boy, he said he got up and procured his gun. As he was about to enter the dining-room he saw the cook confronted him with the butcher knife and said: "Wade, I kill you." He illustrated in court the manner in which he raised his gun and pulled the trigger.

Battle of the Lawyers.

Attorney E. B. Critchlow made the opening argument for the State. He followed by Attorney Frank Gustafson and John A. Largent for the defense. District Attorney Benner X. Smith will close the case with the final argument for the State this morning. Mr. Critchlow brought out the point that Wade had never had any trouble with the Chinaman and that the life of the cook was snuffed out without any justifiable cause whatever. The attorneys for Wade sought to show that from the beginning the State had not made a clear case. Mr. Gustafson argued that the prisoner must be acquitted unless the jury was convinced "to a moral certainty, beyond a reasonable doubt" that he is guilty of the crime as charged. "We had no half-way business," he said, "we want you either to place him in the chair or turn him free. Wade shot and killed the Chinaman in self-defense or shot him down in cold blood."

Lee Kim Ying on Hand.

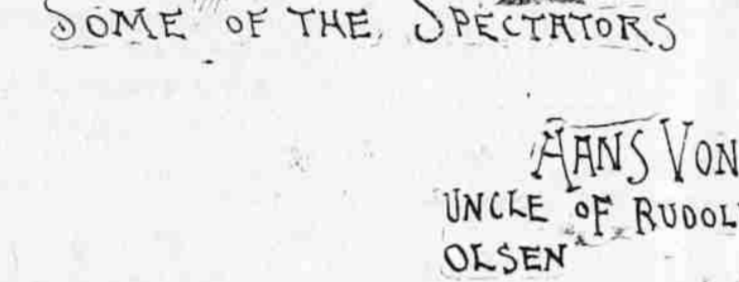
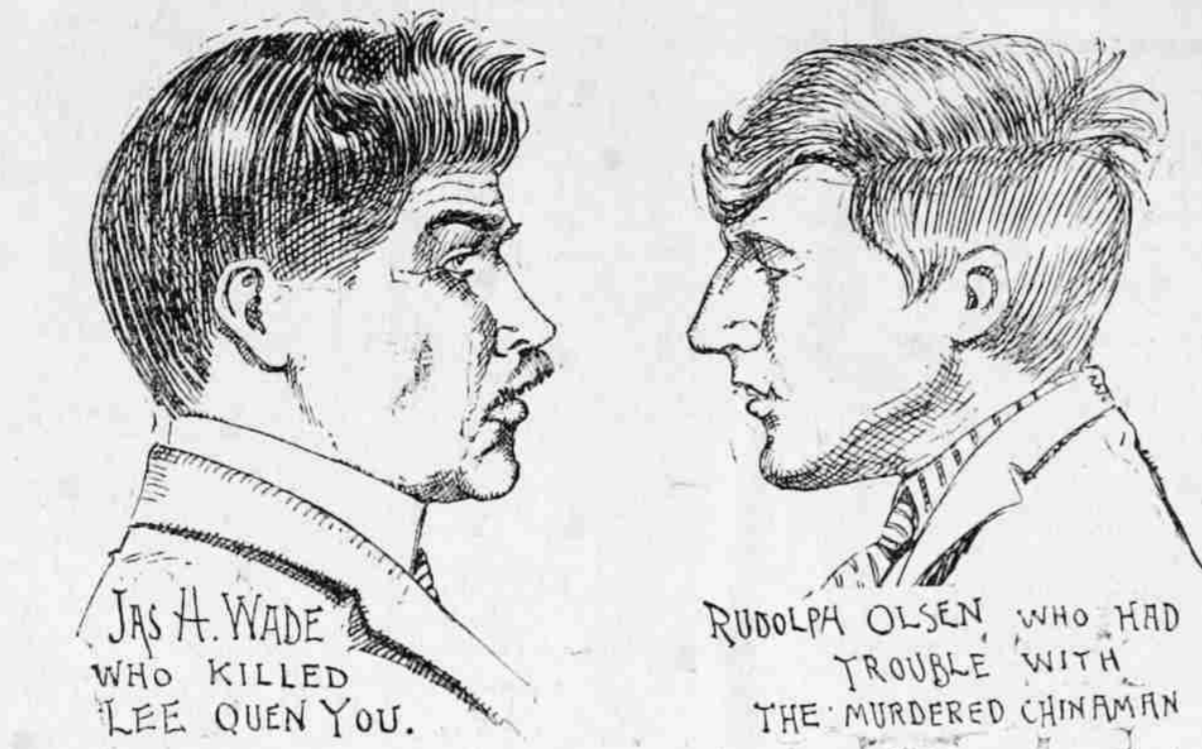
Among the number of Chinamen who have been present in court since the trial began is one who takes an unusual amount of interest in the outcome of the case. This Celestial, whose likeness is presented in the left corner of the cut given herewith, is Lee Kim Ying, a cousin of the murdered cook, Lee Quen You. Each day since the trial began, Lee Kim Ying has been an interested spectator of the proceedings in court. He lives at 153 West South Temple street in this city.

Lee Kim Ying on Hand.

In Supreme Court. Three cases were argued and submitted in the Supreme court yesterday and the fourth case was continued for the term. The cases of the State vs. Davis et al., appellants, and the State vs. John P. Waldron et al., appellants, were argued together because the same point was involved in each. Attorney A. J. Weber argued in behalf of the appellants, and Assistant Attorney General W. R. White argued in reply.

Court Notes.

Attachment proceedings were begun in the District court yesterday by



COURT CALENDAR.

Cases Set for Today.

SUPREME COURT.

Justices Baskin, Barch, McCarry.

M. T. Giesborn, appellant, vs. S. B. Miller et al.

H. H. Earl et al. vs. B. E. Lewis et al., appellant.

Richard S. Brooks et al. vs. Western Union Telegraph company, appellant.

DISTRICT COURT.

Division No. 1—Judge Hall.

G. H. Toome vs. J. D. Reavis.

Division No. 2—Judge Stewart.

Mary A. Shafer vs. George Russell.

Oregon Short Line company vs. Denohue.

Division No. 3—Judge Morse.

State vs. J. H. Wade.

Division No. 4—Judge Lewis.

G. Lloyd, etc., vs. T. Newman et al.

CITY COURT.

Civil division—Judge Tanner.

10 a. m.—Bailey et al. vs. Yowell & Frank.

2 p. m.—Guernsey vs. Leyshon & Elmer.

Adrian Pintro against Edward Temo, to recover \$14.75 alleged to have been loaned by the plaintiff to the defendant. It is alleged that a part of the amount was advanced for the purpose of paying for a cablegram to Paris.

A suit begun in the District court by Mrs. Nellie Mosby, widow of the late Samuel W. Mosby, to recover \$1900 accident insurance from the Fidelity & Casualty company of New York, was transferred to the United States court yesterday on the motion of the defendant. Mr. Mosby was killed October 23, 1903, by a fall in a mine and the insurance company refused to pay his policy.

Catarrh.

Called an American disease, is cured by an American medicine, originated and prepared in the most catarrhal of American countries.

That medicine is Hood's Sarsaparilla. It cures radically and permanently, in that it removes the cause, cleansing the blood of scrofulous and all other impurities. It overcomes all the effects of catarrh, too, and builds up the whole system.

BIRTH RETURNS.

Christensen, girl to A. E. and Eliza, 940 South West Temple, May 8.

De Gray, girl to A. H. and Nellie, 517 East Third South, May 8.

Erckson, boy to August and Alma, Thirtieth ward, April 28.

BANKRUPT BOOK STOCK.

Choice Libraries for Less Than Binding Cost.

Frederick Hebard from Chicago, representing the First National bank and other creditors of E. R. Dumont, bankrupt publisher, is in Salt Lake City for a day or two and is stopping at the Wilson hotel. He is here to close out the remaining assets on the coast, consisting of choice libraries bound in leather now in Salt Lake, at 20 cents on the dollar. This is a rare opportunity for our book-lovers to obtain histories, cyclopedias, literature, Voltaire complete, Dequoy library of oratory, besides the best French, English and American authors. Our advice is to see Mr. Hebard at once. Thirty and sixty days' time will be given responsible buyers.

"WHAT HAPPENED TO BROWN?"

FAKE MINING
MAN IN TROUBLEIndicted for Using Mails for Purpose
of Defrauding His Correspondents.

SAN FRANCISCO, May 10.—George W. Rumble, a mining promoter, is on trial before a jury in the United States District court charged with the illegal use of the United States mails for the purpose of defrauding his correspondents by means of worthless mining schemes and by false representations. The indictment accuses Rumble of having corresponded through the post-office with Frank Terry, D. W. Smith and John Bull, Jr., the latter of Elmira, N. Y., representing to them that he was the owner, secretary and general manager of the Sunset Mining company, capitalized at \$10,000,000, the stock being divided into shares of \$1 each. There were alleged to be twelve gold mines under his control, and that the Sunset Mining company's stock was paying dividends at the rate of 2 per cent a month and had been paying at that rate for the last nine years.

WEATHER RECORD.

Weather for today—Partly cloudy, with possible showers; colder.

Yesterday's record at the local office of the weather bureau.

Maximum temperature, 70 degrees; minimum temperature, 52 degrees; mean temperature, 61 degrees, which is 4 degrees above the normal.

Accumulated deficiency of temperature since the first of the month, 22 degrees.

Accumulated deficiency of temperature since January 1, 3 degrees.

Total precipitation from 6 p. m. to 6 p. m., none.

Accumulated excess of precipitation since the first of the month, 31 inch.

Accumulated excess of precipitation since the first of January, 3.79 inches.

Indicates a trace of rain or snow.

R. J. HYATT, Section Director.

Temperatures Elsewhere.

Boise 74, Chicago 62, Denver 56, Los Angeles 68, Omaha 69, Portland 69, San Francisco 66, St. Louis 66, St. Paul 66.

BURIAL PERMITS.

McMahon, John J., aged 22, St. Mark's hospital, May 7.

Liebel, infant of Gustave, 567 South Third East, May 9.

Matthews, Sarah Jane, aged 7 months, Holy Cross hospital, May 7.

Shurtz, James, aged 60, 411 East Brigham, May 7.

Jones, Cynthia M., aged 3 months, 517 West South Temple, May 7.

Madsen, Charles F. E., aged 69, 479 Third street, May 7.

MARRIAGE LICENSES.

Alma Jaspersen, Goshen.
Rhoda Menlove, Payson.
Frank Morris, Bingham.
Letha Withey, Bingham.
John G. Peterson, Santaquin.
Clara M. Greenhaigh, Santaquin.
Jens Marion Piorgaas, Holladay.
Elizabeth Walker, Salt Lake City.

SPOT CASH SHOE SALE

The entire stock will be sold out AT SALE PRICES. We Need the Money.

An opportunity to save

\$\$

See window for bargains.

No Reasonable Offer Refused. Don't pass us—
Buy Today.

25 per cent to 60 per cent Saved on your Shoe Purchases this Spring.

FOUR BARGAINS THAT WILL GO IN A HURRY

Ladies' Patent Ideal Kid, E. P. Reed's make. Value \$3.50 \$2.15

Ladies' Goodyear Welts, new styles. Value \$3.50 \$2.35

Men's Vici or Velour Spring Stock. Value \$3.50 \$2.15

25 Per Cent Off School Shoes. Men's Calf Shoes, all sizes and widths. Value \$3.00 \$1.85

BOES

Manufacturer of jewelry and other precious stones. We pay particular attention to first-class watch repairing. Are well prepared to do all work in that line, as we carry a full assortment of material.

259 SO. MAIN ST.

The Best Whiskey

Needs no Praise.

Old Cambridge Rye
Old Crow Bourbon

THE ZANG,
ROPER & MAYER,
28-29 W. Second South St.

UTAH BEDDING & MFG CO'S
COTTON FELT
MATTRESS

Better than any Eastern make. Will cost you less money. Ask your dealer for them. Look for our trademark.

Utah Bedding & Mfg Co.,
Salt Lake City, Utah.

BLOOD POISON

Primary, Secondary or Tertiary Blood Poison Permanently Cured. You can be treated at home under same guaranty. (Cap. at \$100.00). We solicit the most obstinate cases. We have cured the worst cases in 10 to 25 days. If you have taken mercury, iodine, potassium and still have sores and pains, Ulcers, Colored Spots, Ulcers on any part of the body, or Erysipelas falling out, write for recipe of cure.

Cook Remedy Co.
210 S. 10TH ST., CHICAGO, ILL. 100-page Book Free.